

TESTIMONY OF AAA  
BEFORE THE  
HOUSE SUBCOMMITTEE ON COMMERCE, TRADE AND CONSUMER PROTECTION  
RIGHT TO REPAIR: INDUSTRY DISCUSSIONS AND LEGISLATIVE OPTIONS

JOHN NIELSEN  
DIRECTOR, AAA AUTO REPAIR NETWORK

NOVEMBER 10, 2005

Thank you, Mr. Chairman and members of the subcommittee. I am pleased to be here today on behalf of AAA in support of HR 2048, the Motor Vehicle Owners' Right to Repair Act.

My name is John Nielsen. I am the director of AAA's Auto Repair Network. My primary responsibility is to make certain AAA members are able to locate quality facilities that can quickly and efficiently service their vehicles at reasonable cost. I coordinate the objective inspection and approval of a network of more than 7500 AAA-approved repair facilities that are both franchised new car dealerships and independently-owned repair shops.

AAA has represented the interests of car owners for over 100 years, and currently serves more than 48 million members— a quarter of all U.S. households. We support Right to Repair as a necessary measure to ensure our members' safety, and their access to high quality, convenient, and competitively priced auto repair.

In supporting this bill, AAA's goal has been to ensure that manufacturers make service and training information, as well as the appropriate diagnostic tools, available to any repair facility, not just those in a franchised dealer network. Ideally, this should occur voluntarily. We were disappointed that the issues

associated with Right to Repair could not be resolved through a self-regulatory program. Absent that, we remain committed to the need for a legislative solution.

Our members and many independent repair facilities in AAA's approved auto repair network continue to tell us of instances where technicians do not have the information or tools they need to fix today's vehicles. It's difficult to quantify the extent of the problem because a customer-focused repair facility always will find ways to work around a situation in order to minimize customer frustration. In many cases the problem is transparent to the consumer. But the fact that independent technicians frequently have to go through multiple steps searching for information they need to repair a customer's car is not in the consumer's best interest.

Problems do persist and consumers are denied choice among qualified repair options; they are inconvenienced, and regrettably some AAA members are left with no choice but to drive their vehicle long distances for repairs. Consumers are essentially denied something they buy when they drive their new car off the lot – access to the data necessary to get their vehicle repaired.

AAA's support for the Right to Repair bill is based on three important objectives: consumer choice, vehicle safety, and the right of car owners to access the data generated by their vehicle.

Despite some positive steps toward making more information available to independent repair facilities, much of what is provided is incomplete, difficult to find, or prohibitively expensive. As a result, instead of fixing the problem themselves, some repair technicians are forced to put customers back out on the road searching for a dealer shop that may not have an available appointment, may not be nearby, or may not even be open.

Many of our members prefer to use dealer facilities. But, many choose to use the services of independents. AAA believes our members deserve and need choice to ensure good quality service and a fair price in auto repair. This can only occur if all facilities have access to the same information and tools.

Technology has made the vehicles we drive smarter. More than 80% of the systems on some cars are monitored or controlled by a computer. Computers in the car can tell us about the need for an oil change, trouble with an oxygen sensor, problems with brakes, and even if our tire pressure is too low – before there is a problem or critical safety breakdown. It makes sense that the information necessary to diagnose and repair any of these problems should be available to all repair technicians, both within and outside of dealers’ networks.

These days, it is hard to mention this issue without someone telling you of their own experience with a repair problem. Here is a scenario representative of what we hear: Imagine traveling on a Saturday afternoon. The dashboard light comes on warning of a malfunction with the antilock brake systems. You stop at the first service station and ask for help. The technician checks the vehicle and determines the problem is not mechanical, but rather, is in an electrical system only the dealer has access to. The closest dealer for your make of car is 25 miles away and won’t open until Monday morning. Is it safe to keep driving the car on the trip? If not, is it safe to drive the car to the dealer and wait until Monday, or do you need a tow truck to pick up the car? Can the dealer service the car Monday, or are they booked until later in the week?

This situation could just as easily have involved the supplemental restraint system, or the electronic traction and stability control system. Each has the potential to compromise the safety of the vehicle’s owner and passengers and other motorists as well. At the same time, the inability of independent technicians to repair “comfort features” like climate control may not create dangerous situations, but they can certainly cause inconvenience for motorists.

AAA believes that when you drive off the lot with your car, you own more than just the vehicle; you own the information necessary to have it repaired by a trusted service advisor of your choice, whether it is an independent technician or dealership. To the extent that the manufacturers contend that certain information is not available because it should be considered intellectual property, we need to look no further than the clear

language of HR 2048, which states that manufacturers do not have to disclose any proprietary design information. At the same time, whether it is viewed as intellectual property or real property – this repair information is really the property of the car-buyer.

Simply put, this legislation is about putting common sense into the repair process, ensuring that consumers get a choice in repair service, whether they choose a dealership or an independent.

Thank you for the opportunity to share AAA's views on this important consumer issue. I will be happy to answer any questions at this time.